

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KG CORNWALL, LLC.

Plaintiff,

-against-

Index No. 07 Civ. 2881 (CLB)

**NOTICE OF MOTION FOR
LEAVE TO AMEND**

BEAZER HOMES CORP.

Defendant.

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PLEASE TAKE NOTICE, that upon the affidavit of Burton I. Dorfman, dated April 29, 2008; and Memorandum of Law in support of Plaintiff's Motion for Leave to Amend and all of the proceedings heretofore had in this action, the undersigned will move this Court, in Room 218 of the United States District Courthouse 300 Quarropas Street, White Plains, New York 10601, on the 27th day of May, 2008, at 10:00 a.m., or as soon thereafter as counsel be heard, for an Order pursuant to Fed. R. Civ. P. 15 granting Plaintiff KG CORNWALL, LLC. and against Defendant BEAZER HOMES CORP. leave to Amend Plaintiff's Complaint.

PLEASE TAKE FURTHER NOTICE, that pursuant to Local Civil Rule Rule 6.1(b), answering papers, if any, shall be served within ten business days after service of these moving papers, and reply papers, if any, shall be served within five business days after service of the answering papers.

Dated: Nyack, New York

April 29, 2008

DORFMAN, KMOEBEL, CONWAY,
FURY & GRIFFIN, LLP.

By  _____

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